



CLEVELAND HEIGHTS

Monday, May 6, 2019 Minutes

COMMITTEE OF THE WHOLE

6:15 – 7:25 p.m.

Mayor Roe presiding

Roll Call: Present: Cobb, Dunbar, Roe, Seren, Stein, Yasinow
Phone: Ungar

Staff present: Briley, Butler, Clinkscale, Freeman, Juliano, Lambdin, McRae, Niermann O'Neil, Smith, Trupo, Wong

Topics discussed: Report of City Council Members, Overview of the Council Nomination Process, Legislation Overview, Report of the City Manager, Discuss Potential Changes to Chapter 725

CITY COUNCIL

7:30 – 9:20 p.m.

Mayor Roe presiding

Roll Call: Present: Cobb, Dunbar, Roe, Seren, Stein, Yasinow
Excused: Ungar

Staff present: Briley, Butler, Clinkscale, Freeman, Juliano, Lambdin, McRae, Niermann O'Neil, Smith, Trupo, Wong

The minutes from the Council meeting held Monday, April 15, 2019 were approved with submitted changes.

Mayor Roe stated Resolution 30-2019 had been moved to the Recreation, Community and External Relations Committee chaired by Council Member Seren. It will be voted on directly after personal communications from citizens, then the agenda will follow as planned.

Personal communications from citizens

Rosa Jurvasavich made a statement of support for Resolution 30-2019.

Michael Gaynier made a statement about prioritizing the Council's work plan. Those in support of Resolution 30-2019 should be addressing their concerns to state legislators.

Deborah Van Kleef made a statement of support for Resolution 30-2019.

Molly Lewis made a statement of support for Resolution 30-2019.

Sue Dean Dyke made a statement of support for Resolution 30-2019.

Andrew Gross requested improvement of economic development, an ordinance for noisy machinery, and repavement of the roads between Coventry/Euclid Heights and Fairhill.

Justine Carter made a statement opposing Resolution 30-2019.

Joe Miller made a statement opposing Resolution 30-2019.

Melody Hart made a statement of support for Resolution 30-2019.

A resident made a statement about the importance of trees and requested support for our Forestry Department.

RECREATION, COMMUNITY AND EXTERNAL RELATIONS COMMITTEE

Council Member Seren stated he introduced this legislation which seeks to do three things: 1.) Make our beliefs know to state legislation; 2.) Support our residents' rights; and 3.) Do something substantive as a City in response to the bill. He made a statement regarding the background and importance of this legislation.

RESOLUTION NO. 30-2019 (AS), *First Reading*. A Resolution in support of the right to bodily autonomy and the right to an abortion; and instructing the Law Department to act in support of those rights

Council Member Dunbar stated she didn't feel it was appropriate for City Council to be taking a stance on this issue. She doesn't feel qualified to speak for the community as a whole as there isn't a unified voice in this partisan issue. There are many issues that City Council should focus on instead. Residents that oppose the bill should be addressing state legislators.

Vice Mayor Yasinow thanked residents for their comments. She stated that she is pro-choice and opposes the bill. The right of individual liberty and privacy on this issue is paramount. Her concerns for Cleveland Heights issuing its own unique amicus brief include the Law Department's capacity and the expense of including outside counsel. It may be beneficial to have one brief with multiple municipalities signing onto it.

Council Member Seren stated that the time spent on discussing this – writing, discussing in Committee of the Whole, discussing it tonight – is worth it, but he didn't anticipate spending as much time on it as they have. He would entertain an amendment that would provide a caveat that if the litigant seeks assistance in a particular way, that we would conform to that litigant's wishes.

Mayor Roe thanked the residents for expressing their opinions. She read an Email that stated the letter sent to the Governor did not reflect a non-partisan Committee at Large. Mayor Roe is pro-choice. As a response to, “How can she support this as a nurse?” she states that one of the most important provisions for the Code of Ethics for Nurses is the ability for patients to choose for themselves. She supports saying that without other parts of the resolution. She read a statement from the Presbyterian Church.

Introduced by Council Member Seren

Legislation Introduced

Master Plan Update

Tanisha Briley reported that the dashboard is live and the report for the first quarter of 2019 may be viewed at <https://www.clevelandheights.com/DocumentCenter/View/4963/Report-Cleveland-Heights-Q1-2019>.

Report of the City Manager

Sealed bids were received on April 5th, for the Meadowbrook Boulevard Reconstruction Project and Fabrizi Trucking & Paving, Inc. of Middleburg Heights, Ohio’s bid of \$924,279.00 has been found to be the lowest and best responsive and responsible bid.

Matter of Record

Request permission to go to bid for project #19-05 Selwyn Road Resurfacing & Water Line Replacement.

Matter of Record

Refer to: Safety and Municipal Services Committee

Motion by Vice Mayor Yasinow, Seconded by Council Member Stein

Roll Call: Ayes: Cobb, Dunbar, Roe, Seren, Stein, Yasinow
 Nays: None

Motion Passed

Tanisha Briley provided some highlights from her report to Council which may be viewed in full at https://www.clevelandheights.com/DocumentCenter/View/4950/cc_packet_05062019?bidId=.

We Are Noble will be May 17 and 18. Wounded Warrior has rehabbed a house on Canterbury and is donating it to a veteran during a ceremony held on May 18, 11:30 a.m. There is a bench dedication for Park Synagogue on Sunday, May 19 at 4:00 p.m. in the

area in front of the Cain Park box office. A Memorial Day celebration will be held May 27 at 10:00 at the Cleveland Heights Veterans Memorial. Troop 403, the student winners of the essay contest, the Heights High Band and the All Generation Band will be present.

Report of the Director of Finance/Clerk of Council

Notify Council that a notice has been received from the Ohio Department of Liquor Control advising that an application has been made by Proximity Golf Lounge LLC dba Proximity Golf Lounge, 3099 Mayfield Road, Cleveland Heights, OH 44118 for a new D5 permit

Matter of Record

Refer to: Safety and Municipal Services Committee, the City Manager, and the Director of Law

Committee Reports

ADMINISTRATIVE SERVICES COMMITTEE

Council Member Stein moved for the appointment of Barbara Danforth to serve on the Citizens Advisory Committee until the end of the year. The motion was seconded by Council Member Seren. Council Member Cobb made a statement of support for the appointment.

Roll Call: Ayes: Roe, Seren, Stein, Yasinow, Cobb, Dunbar
 Nays: None

Motion Passed

FINANCE COMMITTEE

Nothing to report.

HOUSING AND TRANSPORTATION COMMITTEE

RESOLUTION NO. 31-2019 (HT). A Resolution proclaiming (i) May 2019, Bike Month; (ii) May 8, 2019, Bike to School Day; (iii) May 13-19, 2019, Bike to Work Week; and (iv) May 17, 2019, Bike to Work Day in the City of Cleveland Heights

Introduced by Council Member Dunbar, Seconded by Vice Mayor Yasinow

Council Member Dunbar made a statement about the importance of the legislation and the support Bike Month has received. Cleveland Heights is currently recognized as a Bronze Level Bicycle Community by the League of American Bicyclists. Council Member Stein made a statement about his previous request to limit proclamations as it may reduce their specialness. This resolution and the resolution for

National Preservation Month are mirroring what is already nationally recognized. In deference to Council Member Dunbar’s participation in Bike Month, he is voting yes for this, but no on the following.

Roll Call: Ayes: Cobb, Dunbar, Roe, Seren, Stein, Yasinow
 Nays: None

Legislation Passed

Council Member Dunbar stated she ran a marathon in London last week concluding her goal to run in the five largest marathons in the world.

PLANNING AND DEVELOPMENT COMMITTEE

RESOLUTION NO. 32-2019 (PD). A Resolution declaring May 2019, National Preservation Month

Introduced by Council Member Stein, Seconded by Council Member Dunbar

Council Member Seren stated he would be voting in favor of the legislation.

Council Member Dunbar made a statement about the housing stock being a major strength and part of the City’s identity.

Vice Mayor Yasinow echoed Council Member’s remarks. The City does invest a lot of work in historical preservation. She made a statement about the tax credits the City has received as a result.

Council Member Seren made a statement about the importance of housing stock.

Roll Call: Ayes: Dunbar, Roe, Seren, Yasinow, Cobb
 Nays: Stein

Legislation Passed

RECREATION, COMMUNITY AND EXTERNAL RELATIONS COMMITTEE

SAFETY AND MUNICIPAL SERVICES COMMITTEE

ORDINANCE NO. 29-2019 (SMS), *Second Reading.* An Ordinance amending Chapter 943, “Use of Public Ways for Small Cell Wireless Facilities and Wireless Support Structures,” of Part Nine, *Streets, Utilities and Public Services Code* of the Codified Ordinances of Cleveland Heights

Introduced by Vice Mayor Yasinow, Seconded by Council Member Stein

Roll Call: Ayes: Roe, Seren, Stein, Yasinow, Cobb, Dunbar
Nays: None

Legislation Passed

ORDINANCE NO. 33-2019 (SMS). An Ordinance enacting Codified Ordinance Chapter 1334, Erosion and Sediment Control

Introduced by Vice Mayor Yasinow, Seconded by Council Member Dunbar

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Yasinow, Cobb
Nays: None

Legislation Passed

ORDINANCE NO. 34-2019 (SMS). An Ordinance setting forth comprehensive stormwater management regulations, repealing current Chapter 1335 of the Codified Ordinances, and adopting a replacement Chapter 1335, Stormwater Management

Introduced by Vice Mayor Yasinow, Seconded by Council Member Dunbar

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Yasinow, Cobb
Nays: None

Legislation Passed

ORDINANCE NO. 35-2019 (SMS). An Ordinance enacting Chapter 1336 of the Codified Ordinances relating to Illicit Discharge and Illegal Connection Control

Introduced by Vice Mayor Yasinow, Seconded by Council Member Dunbar

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Yasinow, Cobb
Nays: None

Legislation Passed

RESOLUTION NO. 36-2019 (SMS). A Resolution authorizing the City Manager to enter into an agreement with GPD Group for administration and inspection services for the Meadowbrook Boulevard Reconstruction Project; providing compensation therefor

Introduced by Vice Mayor Yasinow, Seconded by Council Member Dunbar

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Yasinow, Cobb
Nays: None

Legislation Passed

Mayor's Report

Mayor Roe made a statement about the women involved in the Women Out Walking program. There are many programs and activities listed on the <https://www.chparks.com/>.

The State Operating Budget bill is being monitored closely.

Council will meet with the School Board and University Heights City Council on June 24.

Charter Review recommendations will continue to be reviewed in the Committee of the Whole meeting next week.

Mayor Roe will be attending a meeting this week with other Mayors and City Managers from Northeast Ohio for a day at the Statehouse. It is an opportunity to request more funding.

Vice Mayor Yasinow made a statement about Yom HaShoah also known as Holocaust Memorial Day. It is particularly important to recognize this in the wake of recent anti-Semitic acts.

NEXT MEETING OF COUNCIL: MONDAY, MAY 20, 2019

Respectfully submitted,

Carol Ann Roe, Mayor

Susanna Niermann O'Neil, Acting Clerk of Council
/jkc